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1 Ms. Garcia makes reference to Bryson Ahkeah
 2 taking a bottle from the fridge at Bluffview. "He waved
 3 it at me and smiled. I asked what he wanted. He said,
 4 'You know, you're Mexican. Read the bottle.' It said,
 5 'El Jarrito.' I told him I'm not Mexican. He argued
 6 and said, "Oh, yes, you are. You're Mexican." I told
 7 him, 'I'm Spanish and Italian.' He said, 'No, you're
 8 Mexican. What's the difference?'"

9 So my question to you, just with regards to
 10 that one, is it your testimony on the record that Bryson
 11 Ahkeah never had this conversation with Ms. Garcia?

12 A. All I can say, based upon the interviews that
 13 we conducted, is he did not recall that conversation.
 14 And if you look under Mr. Camrud, which we also
 15 interviewed, he did not recall that, either.

16 Q. So neither one of these witnesses, neither
 17 Bryson Ahkeah nor Mark Camrud, ever said that did not
 18 happen? They just simply said, "I do not recall?"

19 A. That's correct.

20 Q. And then we go down, "When the newspaper had
 21 a story about Arizona lawmakers addressing undocumented
 22 immigrants, Bryson and Tom Jones and Damon were at
 23 Bluffview control room. Tom said, 'You better have your
 24 green card.' Bryson said, 'You better not go to
 25 Arizona. They won't let you come back. They'll send

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1 you back with your people.' They were all three
 2 laughing. Tim Caywood said, 'That's profiling. That's
 3 wrong.'" And the witness was Tim Caywood.

4 So is it also your testimony on this record
 5 that that conversation never occurred?

6 A. No, it isn't.

7 Q. Is it your testimony that that conversation
 8 did occur?

9 A. I think -- If you'll look at my notes, I
 10 think it has something about this conversation. I
 11 believe the conversation was between the three
 12 gentlemen.

13 Q. Had any of them ever lived in Arizona, that
 14 you're aware of?

15 A. My understanding, I believe -- actually, I'm
 16 not sure if Bryson did or not. I believe he lived on
 17 the reservation, but I can't tell you whether it was in
 18 New Mexico or Arizona.

19 Q. If you go to the back of page 5, you'll see
 20 under Tim Caywood on 7/12, it says, "Green card, Arizona
 21 immigration, and he doesn't remember that or saying
 22 anything about profiling"; right?

23 A. I guess I'm not on the right page.

24 Q. It's the back of page 5. The front page has
 25 a 5 with a circle around it in the top right-hand

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1 Q. Yeah -- sixth bulleted item down, it says,
 2 "Bryson doesn't have but a few years left; stop it.
 3 Used the B" -- and then it has four lines -- "word when
 4 she was out of the room." And that is the bitch word;
 5 right?

6 A. I would think so.

7 Q. Well, certainly you would agree that Bryson
 8 Ahkeah, referring in conversations with other employees
 9 to Ms. Garcia as a bitch, is inappropriate in the
 10 workplace?

11 A. Yes.

12 Q. I just want to make sure. Based upon your
 13 investigation, Brooks' and your investigation, no
 14 employee, no employee, was given any sort of
 15 disciplinary action, were they?

16 A. I can't agree with that. I will tell you
 17 simply because I don't remember. I know there was some
 18 discipline, but I can't remember if it was as a result
 19 of this or another incident. And that discipline was --
 20 there was some discipline. But I really truly do not
 21 remember if it was the result of this or something else.
 22 I just don't.

23 Q. I want to make sure I understand. There was
 24 some discipline given to an employee in relation to
 25 allegations or complaints that Juanita Garcia brought

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1 forward?

2 A. I believe so.

3 Q. Well, you're speculating, aren't you?

4 A. No. If you have the documents, you probably
 5 would have come across them. Bryson Ahkeah was
 6 disciplined for something, but I can't remember what. I
 7 just don't remember.

8 Q. Related to Ms. Garcia?

9 A. I thought so.

10 Q. Well, I can tell you I've never seen such a
 11 document. I don't know of any document existing. If
 12 such a document exists, it's never been produced to me
 13 by the City.

14 I just want to get back -- because you're
 15 under oath here, ma'am.

16 A. I understand.

17 Q. Are you speculating with regards to some kind
 18 of discipline coming out of any kind of investigation to
 19 any complaint that Ms. Garcia ever raised?

20 MS. OLMOS: Object to the form of the
 21 question.

22 MR. MOZES: You can answer.

23 A. I know he was disciplined.

24 Q. You don't know why?

25 A. I can't remember why, but I thought it was as

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1 a result of this.

2 Q. Why do you think that?

3 A. Because I can't think of another reason he
 4 would have been disciplined.

5 O. Okay. Would you agree with --

EXHIBIT

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